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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA - EASTERN DIVISION

UNITED STATES for the use of
FERGUSON ENTERPRISES, INC.,

CASE NO.: EDCV 07 00233 SGL
(JCRx)

Plaintiff,

vs.

FIDELITY AND DEPOSIT COMPANY
OF MARYLAND, a corporation;
BURNS & MCDONNELL
CONSTRUCTION, INC., a
corporation,

~~[PROPOSED]~~ JUDGMENT

Defendants.

Plaintiff's Motion for Summary Judgment came on for
hearing on Monday, November 19, 2007 at 10:00 A.M. in Courtroom
1, the Honorable Stephen G. Larson, Judge presiding. Loraine
Todd of George Sykulski, A Professional Law Corporation,
appeared on behalf of Plaintiff; Jonathan J. Dunn of Sedgwick,

LODGED

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U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
RIVERSIDE

ORIGINAL

1 Detert, Moran & Arnold, LLP, appeared on behalf of Defendants,
2 Fidelity and Deposit Company of Maryland, a corporation, and
3 Burns & McDonnell Construction, Inc., a corporation.
4

5 After reading and considering the moving, opposition
6 and reply papers, and hearing oral argument, the Court hereby
7 grants Plaintiff's Motion and orders that Plaintiff is entitled
8 to recover its reasonable attorney fees, the amount of which is
9 to be determined by subsequent noticed motion.
10

11 JUDGMENT IS ENTERED IN FAVOR OF PLAINTIFF *SS*

12 DATED: 12-30-07.

13 *Stephen G. Larson*
14 STEPHEN G. LARSON, JUDGE
15 U. S. DISTRICT COURT
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PROOF OF SERVICE-MAIL

COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

I, the undersigned, declare:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is George Sykulski, A Professional Law Corporation, 16027 Ventura Blvd., Suite 503, Encino, California 91436.

On December 28, 2007, I served a copy of the enclosed **[PROPOSED] JUDGMENT** on the interested parties by placing true copies of the document(s), enclosed in sealed envelope(s) addressed as follows:

Jonathan J. Dunn
Joanna M. Curtis
Sedgwick, Detert, Moran & Arnold, LLP
3 Park Plaza, 17th Floor
Irvine, CA 92614

I am "readily familiar" with the firm's practice of collecting and processing correspondence for mailing. Under that practice, mail is deposited with the U. S. Postal Service on that same day with postage fully prepaid at Encino, California in the ordinary course of business. I am aware that, on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing as set forth in this affidavit.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on December 28, 2007 at Encino, California.

Lori Cook

Lori Cook